

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: Dilek B. COBANOGLU
Christina BANTA)	
)	Art Unit: 3626
Serial No.: 09/876,782)	
)	Confirmation: 8851
Filed: June 7, 2001)	
)	
For: Method and Computer Readable)	
Medium for Merging Studies)	
)	Cleveland, Ohio 44143
Attorney Docket: US010388US)	April 25, 2011

Request for reconsideration of the patent term adjustment determination under 35 U.S.C. § 154(b)(3)(B) and 37 CFR 1.705(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request reconsideration of the patent term adjustment determination based on the following:

37 C. F. R. § 1.702(a)(1) calls for “(a) the term of an original patent shall be adjusted if the issuance of the patent was delayed due to the failure of the Office to: (1) Mail at least one of a notification under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151 not later than fourteen months after the date on which the application was filed under 35 U.S.C. 111(a).” The filing date of the present application under 35 USC 111(a) was June 7, 2001. A notification under 35 U.S.C. 132 was not provided until an Office Action was mailed on January 18, 2006. The period between June 7, 2001 and January 18, 2006 is estimated to be approximately 1683 days. Accounting for the allotted 14 month period (approximately 425 days), the delay thereafter is calculated to be approximately 1258 days. Thus, the delay is believed to be 1258 days rather than 1202 days as suggested in the Notice of Allowance.

Applicants do not believe that there were any circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in § 1.704.

Applicants believe that all of the criteria of 37 C. F. R. § 1.705 (b)(1) and (b)(2) have been met.

If any other fees are due in connection with this Request, the authorization to charge deposit account 14-1270 for the fees associated therewith is hereby provided.

Respectfully submitted,

/Yan Glickberg/

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